

PORSF  
11.3.18.1 U6

BOOK 568 PAGE 1121

STATE OF OREGON

WHEREAS, the State of Oregon has some right, title and interest in submersible and submerged lands, as defined in ORS 274.905, within Parcels 1, 2, 3, 4 and 5 as hereinafter described, including right, title and interest as trustee for the rights of the public to use of navigable waters for navigation, fishery and recreation subject to reasonable restriction; and

329

WHEREAS, the State of Oregon also may have some right, title and interest in new lands, as defined in ORS 274.905, created by others than public bodies within said Parcels 1, 2, 3, 4 and 5, as well as the right to be paid the reasonable value of new lands created therein by public bodies, as prescribed in ORS 274.925; and

WHEREAS, over a long period of years extensive dredging and filling operations affecting said Parcels 1, 2, 3, 4 and 5 have resulted in the creation of both new lands and the removal of prior existing lands of each of which the precise boundaries are not now ascertainable; and

WHEREAS, The Port of Portland has the object, purpose and occupation of promoting the maritime, shipping, aviation, commercial and industrial interests of the Port, has responsibility for maintenance of the channels of the Columbia and Willamette Rivers in the vicinity of said Parcels 1, 2, 3, 4 and 5 and has authority to acquire, fill, reclaim, improve, use or dispose of such lands as it deems necessary and all or any of the waterfront of its harbors, rivers and waterways for public convenience and the convenience of air transport, shipping, commercial and industrial development of the port district; and

WHEREAS, The Port of Portland now owns all of said Parcels 1, 2, 3, 4 and 5 except or subject to:

- (a) The said right, title and interest of the State of Oregon;
- (b) Those portions thereof covered by recorded conveyances, contracts of sale or options to purchase or memoranda thereof which The Port of Portland has executed as a part of its program of industrial and commercial development;
- (c) Rights of way of governmental bodies and private utilities of record;

23576

JUN 28 1967

USEPA SF



1288199

WHEREAS, The Port of Portland has made and contracted for extensive studies of said Parcels 1, 2, 3, 4 and 5 to determine the highest and best use therefor and contemplates extensive filling and improvement over a period of years of substantial portions thereof, including the creation of further new lands; and

WHEREAS, the contemplated program of filling and improvement will be carried out both in conjunction with channel maintenance and development in adjacent waters and otherwise, and the creation of new lands may occur at different levels and stages from time to time so that the precise costs of fill to be attributed to any new lands will be difficult to ascertain; and

WHEREAS, uncertainty as to the extent of the right, title and interest of the State of Oregon in said Parcels 1, 2, 3, 4 and 5 and of the reasonable price to be paid to the State Land Board for new lands created therein makes difficult negotiation and financing of transactions in connection with the development and disposition of lands improved by the Port and creates clouds upon titles conveyed by it; and

WHEREAS, The Port of Portland has requested the conveyance hereinafter made in order to remove said uncertainties and clouds and provide for the full and free development of said Parcels 1, 2, 3, 4 and 5 and has offered the sum of \$50,000.00 therefor and in full satisfaction of any claims of the State of Oregon in payment under ORS 274.925 for new lands created therein; and

WHEREAS, the State Land Board has investigated and determined that filling or other restricted use of those portions of said Parcels 1, 2, 3, 4 and 5 along the Columbia and Willamette would promote the public interest in navigation and commerce upon these important avenues of national and international shipping and trade, provided, however that after 10 years from the date of this deed, all right, title and interest of The Port of Portland in submerged or submersible lands situate in the bed of the Columbia and Willamette Rivers conveyed by this deed and which remain submerged or submersible shall revert to and become the property of the State of Oregon; and

WHEREAS, the State Land Board has further determined that the lakes and sloughs within Parcel 5 are of doubtful navigability, and if

JUN 28 1967

23578

navigation in fact, would have limited value to the public for navigation, fishing and recreation; and that any such limited value is outweighed by the greater value of such use as may be made by filling or development for industrial or harbor and related facilities that promote commerce and navigation, other waters being readily available in the immediate vicinity for navigation, fishing and recreation; and

AND, THEREFORE, IN CONSIDERATION OF FIFTY THOUSAND and no/100 DOLLARS paid to the State Land Board, the STATE OF OREGON releases and quitclaims unto THE PORT OF PORTLAND, a municipal corporation of the State of Oregon, the following described lands situate in Multnomah County,

Oregon, to-wit:

*3189 - NE 10  
31813 - SE 10*

PARCEL 1:

A parcel of land located in Section 10, Township 1 South, Range 1 East, Willamette Meridian, Multnomah County, Oregon, described as follows:

Beginning at an iron bolt which is 2484.92 feet north and 664.13 feet west of the southeast corner of said Section 10; thence South 72°43'30" West, 360.0 feet; thence North 5°56'30" East, 921.62 feet; thence North 20°43'20" East 660.0 feet; thence South 20°16'30" East, 650.0 feet; thence South 15°16'30" East, 800.0 feet; thence South 78°43'30" West, 420.0 feet to the point of beginning.

PARCEL 2:

*July 29, 1953 241 - 500 19-10-1E  
Secs 4, 5, 6, 7, 25, 33, - 34th 18-10-1E*

A parcel of land located in Sections 18 and 19, Township 1 North, Range 1 East, Willamette Meridian, Multnomah County, described as follows:

Commencing at an iron pipe in the boundary line between the Milton Doane and the Geo. Kitzredge Donation Land Claims, set by Earl A. Marshall as the initial point of a survey for the location of North Front Ave. and Doane Ave.; said point being North 31°15' East, 1611.96 feet from an angle point in said boundary line; thence continuing North 31°15' East, 104.60 feet to a point in the northeasterly line of North Front Ave. and being the True Point of Beginning of the following described parcel; thence North 41°42'10" West, 773.39 feet along the extension of the northeasterly line of North Front Ave., as dedicated; thence North 48°57'22" East, 1204.37 feet, more or less, to the harbor line of the Willamette River; thence South 41°02'35" East, 373.77 feet along the said harbor line to an angle point therein; thence South 41°45' East, 1861.11 feet along the said harbor line to an angle point therein; thence South 47°37'34" East, 1451.68 feet along the said harbor line; thence South 30°00' West, 712.73 feet; thence North 47°37'34" West, 1576.36 feet; thence South 42°19' West, 500.01 feet, more or less, to a point in the northerly line of North Front Ave.; thence North 31°41' West, 79.39 feet along the said line to the west southerly southeast corner of the Pioneer Flinthote property; thence North 48°57'25" East, 300.0 feet; thence North 41°41' West, 1240.12 feet; thence South 42°47'24" West, 300.0 feet, more or less, to a point on the northerly line of North Front Ave.; thence North 41°01' West, 156.61 feet along the said line to the True Point of Beginning.

JUN 28 1967

23575



Willamette River; thence along the said harbor line, North 68°07' East, 92.65 feet; North 79°46' East, 200 feet; South 32° East, 200 feet; South 70°22' East, 326.75 feet; South 92°15' East, 9950 feet; South 43°30' East, 377.91 feet to the intersection of the north line of H. Webster St. extended westerly to the harbor line; thence North 87°45' East, 443.00 feet along the projection of the north line of Webster St. to the northeasterly line of North Basin Ave.; thence along said Basin Ave., North 35°41' East, 224.83 feet and North 52°15' West, 770.49 feet to a point on the south line of said Section 17; thence easterly along the south line of Section 17, a distance of 596.90 feet to the point of beginning.

BOOK 568 PAGE 1125

PARCEL 5:

A parcel of land located in Sections 13, 14, 23, 24, 25, 26, 27, 34, 35, and 36, Township 2 North, Range 1 West, Willamette Meridian, and Sections 29, 30, 31 and 32, Township 2 North, Range 1 East, Willamette Meridian, Multnomah County, Oregon, described as follows:

Commencing at the northeast corner of Section 34, Township 2 North, Range 1 West, Willamette Meridian; thence South 17°13'34" West, a distance of 1745.09 feet to the True Point of Beginning which is an angle point in the Federal Harbor Line of the Willamette River; thence North 8°49'30" West, a distance of 2256.97 feet to an angle point in said harbor line; thence North 6°22'50" East, a distance of 2158.98 feet to an angle point in said harbor line; thence North 19°37'51" East, a distance of 2129.99 feet to an angle point in said harbor line; thence North 35°02'52" East, a distance of 2122.56 feet; thence North 50°27'21" East, a distance of 3000.72 feet to an angle point in said harbor line; thence North 25°00'24" East, a distance of 408.34 feet to a point on said harbor line; thence North 28°13' East, a distance of 392 feet, more or less, to a point on said harbor line; thence North 26°10'30" East, a distance of 2680.51 feet to a point on the said harbor line; thence North 65°00'18" West, a distance of 299.64 feet; thence South 38°17'50" East, a distance of 3405.02 feet; thence South 49°09'27" East, a distance of 3401.04 feet; thence South 41°25'15" East, a distance of 1858.07 feet; thence South 45°04'23" East, a distance of 3938.57 feet; thence South 51°51'04" East, a distance of 4207.30 feet; thence South 58°30'39" East, to the west line extended of a 15-acre parcel conveyed to Peninsula Industrial Co. by deed recorded July 11, 1917 in Book 736, page 272, Deed Records; thence South along the west line extended and the west line of said parcel to high water line of Smith Lake; thence westerly following the high water line of Smith Lake along the south lines of Government Lots 2 and 1, Section 32, and Government Lots 5, 4 and 3, Section 31, to the westerly line of said Government Lot 3; thence North along the westerly line of Government Lot 3, Section 31, to the northwest corner of said Government Lot 3; thence East along the northerly line of Government Lot 3, Section 31, to the northeast corner of said Government Lot 3; thence North along the westerly line of Government Lot 6 to the northeast corner of Government Lot 7, Section 31; thence northerly along the westerly lines of Government Lot 6, Section 31, and Government Lot 5, Section 30; thence westerly along the southerly lines of Government Lots 6 and 7, Section 30, to the west line of Section 30; thence West along the southerly lines of Government Lots 5 and 4 and the southeast quarter of the southwest quarter of Section 25, to the point of intersection with the northerly line of a tract conveyed to Henry Wilson by deed recorded January 4, 1871 in Book M, page 405, Deed Records; thence North 56° West, a distance of 643.5 feet, more or less, along the northerly line of said tract to a point; thence West 146.6 feet, more or less; thence upstream in the Columbia Slough South 65° West, 279.31 feet; thence South 20° West, a distance

23575

JUN 28 1967

of 315 feet to a point on the South line of Section 25, which point is South 89°55' East, a distance of 675.0 feet from the southwest corner of said Section 25; thence, following the centerline of Columbia Slough, South a distance of 122.44 feet; thence South 25° East, 299.4 feet; thence South 40° East, a distance of 200 feet; thence South 26°30' East, a distance of 250 feet; thence South 38° West, a distance of 280 feet; thence South 69° West, a distance of 300 feet; thence South 30° West, a distance of 270 feet; thence South 42°34'36" West, a distance of 379.95 feet to an angle point in the northerly right-of-way line of the Bonneville Power Administration; thence South 175.06 feet to a point on the southerly line of said BPA right-of-way; thence South 58°57'45" West along the southerly line of said BPA right-of-way; thence South 44°17'10" East, a distance of 81.76 feet; thence South 45°42'50" West, a distance of 35.0 feet; to a point on the northeasterly right-of-way line of the Union Pacific Railroad; thence North 44°17'10" West, a distance of 90.0 feet along said UPRR right-of-way line to its intersection with the southerly line of the BPA right-of-way; thence South 58°57'45" West, a distance of 110 feet, more or less, to an angle point in the BPA right-of-way line; thence North 80°35'45" West, a distance of 727.27 feet along said BPA right-of-way line; thence South 512 feet, more or less; thence South 60°37'25" East, a distance of 57.38 feet; thence North 300 feet, more or less, to a point which is 50 feet from, when measured at right angles to, the said southerly line of BPA right-of-way; thence North 80°35'45" West, a distance of 822 feet, more or less; thence South 9°24'15" West, a distance of 35.0 feet; thence North 80°35'45" West, a distance of 2122.34 feet; thence along a curve to the left having a radius of 162.5 feet and consuming an angle of 9°35'15", a distance of 30.54 feet; thence South 89°49' West, a distance of 1113.14 feet, more or less, to that easterly boundary of that tract of land conveyed to the Northwest Terminal Co. by deed recorded in Book 749, page 256, Deed Records; thence North 00°07'45" East, a distance of 35.0 feet; thence South 89°49' West, a distance of 261.78 feet; thence South 58°59'45" West, a distance of 228.04 feet; thence North 25°17'40" West, a distance of 50.17 feet; thence South 58°59'45" West, a distance of 804.77 feet to an intersection with the Federal harbor line of the Willamette River; thence North 25°48'27" West along said Harbor Line, to the True Point of Beginning.

558 and 1126

- ✓ Sec 12, 14, 21, 22, 27, 47, 36 - Sec 25 - 2N-1W
- ✓ Sec 13, 20, 27 - Sec 26 - 2N-1W
- ✓ Sec 12, 13, 45, 6, 7, 8, - Sec 25 - 2N-1W
- ✓ Sec 13, 4, 5, 6, 8 - Sec 30 - 2N-1E
- ✓ Sec 2, 4 - Sec 31 - 2N-1E
- ✓ Sec 2 - Sec 32 - 2N-1E
- ✓ Sec 2 - Sec 33 - 2N-1E
- ✓ Sec 1, 2, 5 - Sec 22 - 2N-1W
- ✓ Sec 1, 2 - Sec 23 - 2N-1W
- ✓ Sec 14, 20 - Sec 26 - 2N-1W
- ✓ Sec 11, 25 - Sec 27 - 2N-1W
- ✓ Sec 1 - Sec 24 - 2N-1W

23576

JUN 28 1967

All subject, however, to rights of present adjacent riparian owners other than the Port of Portland, if any there, to continued reasonable access to navigable water over any new lands which may have been or may be created on adjoining submersible and submerged lands within the parcels described above, and subject to established rights of way of record, of governmental bodies and private utilities, including but not limited to such rights of way for ditches, canals and reservoir sites for irrigation purposes as may have been reserved by the United States or otherwise; and

All further subject to the condition that if after 10 years from the date of this deed, any submerged or submersible lands in the bed of the Columbia and Willamette Rivers conveyed under this deed remain submerged or submersible then said lands upon the expiration of said period shall revert to and become reverted in the grantor.

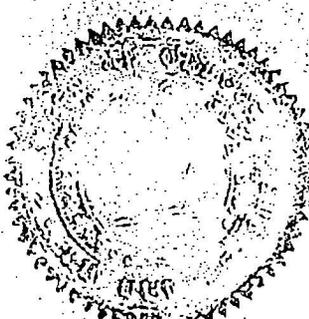
Nothing in this deed shall divest the State of Oregon of its rights to minerals, oil, gas and sulphur as provided in ORS 274.910(3).

WITNESSE the seal of the State Land Board,  
affixed this 20th day of June  
1967.

STATE LAND BOARD

By Tom H. Call  
Governor

Attest:  
Richard L. ...  
Clerk of the State Land Board



State Record of Deeds, Book 23, Page 172.

JUN 28 1967

Case 553 sub 1127

23576